

## **PARKS AND RECREATION COMMISSION**

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# **SYNOPSIS**

### **SPECIAL DEVELOPMENT MEETING**

**Wednesday, July 23, 2008  
5:00 P.M.**

**City Hall  
Room W-120  
200 East Santa Clara Street  
San José, CA 95113**

MELANIE RICHARDSON, CHAIR

MIKE FLAUGHER, VICE CHAIR

WINSTON CHEW

LESLEE HAMILTON

G.M. HARDING

JAMES KIM

PAUL KRAMER

JULIE MATSUSHIMA

ERIK KARSTAN SMITH

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For questions, please contact Sue Diehl, Secretary, at (408) 793-4186.

## **1 CALL TO ORDER**

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The meeting was called to order at 5:09 p.m.

Present: Richardson, Flaughner, Hamilton, Kim, Kramer, Smith

Absent: Chew, Harding, Matsushima

## **2 ACTION ITEMS**

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### **2.1 Review and Discuss the Proposed Ballot and Charter Language in Regard to Duration of Leases on City Parks**

This item was presented by Barbara Jordan, Senior Deputy City Attorney, and Julie Edmonds-Mares, PRNS Assistant Director. The Commissioners were given a draft version of the Ballot Question and Charter Language. Ms. Jordan indicated the concerns raised by the Commissioners in their previous meetings on the subject were

reflected in the language as presented. The language was still being studied and changed, and Ms. Jordan read the latest version of the Ballot Question, which had been revised from what the Commissioners had in the handout.

*“To improve parks and enhance recreational opportunities, shall the City Charter be amended to allow the City Council to approve park use agreements for up to 30 years in parks larger than five acres, requiring that the agreements enhance the recreational purposes of the park?”*

The Commissioners preferred the above revised language to the language in the handout. Discussion ensued concerning the 30 year term of the contract. Ms. Jordan explained the reasoning for changing the Commission’s previous recommendation of “30 years with 10 year reviews.” The Commission ultimately agreed to the language, “up to 30 years.”

Each of the sections identified by Roman Numerals was discussed. Commissioners voiced their opinion that provision “(iv) opportunity for public input was provided” needed to have stronger language. As well, they felt provision “(vi) all revenue received by the City from the Agreement is required to be used for recreational purposes” should be changed to reflect “any revenue” instead of “all revenue.”

Because the Charter will be in effect for a number of years, the Commission felt it important that there be a public document that provided greater detail on how the specific concerns voiced by the Commissioners would be addressed. It was agreed the best vehicle to accomplish this would be charter language naming the elements of concern, such as affordable access, community outreach, and early termination of agreements, supported by a City Council policy where specific provisions and examples could be documented and modified over time as needed.

Public comment was received from Helen Chapman who suggested language be as positive as possible since the community views the ballot as a whole as controversial.

Public comment was received from Richard Zappelli of Willow Glen Homeowners Association who was opposed to the use of Willow Senior Center Site parkland for Fire Station 37.

**It was moved by Commissioner Hamilton, seconded by Commissioner Flaughter, amended by Commissioner Kim, and voted 6-0 to support the Ballot Question and Charter Language reflecting an up to 30 year contract term, stronger language regarding public input, and language within the Charter allowing for the City Council to adopt a policy that would further define the provisions of the agreements.**

### **3      ADJOURNMENT**

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The meeting was adjourned at 6:04 p.m.

#### **Availability of Public Records**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 200 E. Santa Clara Street, 9<sup>th</sup> Floor, San Jose, CA at the same time that the public records are distributed or made available to the legislative body.